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The Berry Settlement

Berry v. LexisNexis Risk & Information Analytics Group, Inc., Case No. 3:11-cv-00754-JRS., In the United States District Court for the Eastern District of Virginia

Below we have provided excerpts or our interpretation and commentary on a few noteworthy provisions from the Settlement Website regarding the Rule 23(b)(2) 'LexisNexis Report' Class. We encourage you to read these provisions, and preferably, click on the link below so that you can read the entire body of information and related documents provided on this website. Doing so will allow you to fully review each and all of the relevant provisions so you understand your rights.

<http://www.collectionreportlawsuit.com>

What is this lawsuit or class action all about?

The lawsuit claims that the Defendants prepared and sold Accurint® searches and reports, that these reports were (1) "consumer reports" under the FCRA, and that (2) Defendants failed to follow certain Fair Credit Reporting Act ("FCRA") requirements that apply to consumer reports, including handling disputes about the reports' contents and providing consumers with full copies of reports about them.

Who is included in this settlement?

You are included in the proposed Settlement if information about you was in the databases used to prepare Accurint® brand products at any time between November 14, 2006 and April 19, 2013. These databases contain the names and addresses of all U.S. residents who have opened a credit account, as well as information from many public records such as telephone directories, voter registration records, motor vehicle registrations, and mortgage records. If you are 18 years or older, there is probably information about you in these databases.

If I do nothing will my rights be affected? Must I act?

Your legal rights are affected by the proposed Settlement even if you do nothing. If the proposed Settlement is finally approved by the Court, then you will be giving up the right to file a lawsuit against any of the Defendants or their related companies for certain money damages relating to any violation of the FCRA or any similar state law about the claims covered by this Settlement. This is called "releasing" your claims. This means you cannot seek, or continue to seek, limited statutory remedies based on any of the Defendants' alleged violation of the FCRA, including: 1) using your information without your permission, 2) responding inadequately to your request for a copy of an Accurint® report about you, or 3) inadequately responding to a dispute you initiated or submitted to one of the Defendants regarding Accurint®. You will be giving up all such claims, whether or not you know about them.

If I am a member of the Rule 23(b)(2) Class will I receive any money under the class action settlement?

No, there will be no payments to members of this class as a result of the settlement agreement.

What are my legal rights and options at this point?

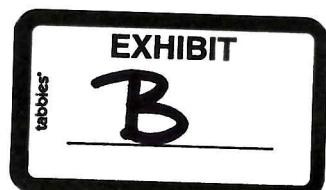
You have three basic options. One, you can object to the settlement in writing, on your own, or, with counsel; two, ask the Court to allow you to speak at a hearing on the settlement, again, on your own, or with counsel; or three, do nothing.

Will you help me object to this settlement?

If you would like to object to the settlement, the lawyers at Watts Guerra LLP are willing to help. Click [here](#) now to get started.

What are some other useful links and documents I should look at?

To read the detailed notice about the proposed settlement, click [here](#).



To read the settlement agreement itself, click [here](#).

To read the Order Granting Preliminary Approval, click [here](#).

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Watts Guerra LLP LexisNexis Privacy Litigation

Thanks for your interest in pursuing a claim against LexisNexis. We are no longer accepting clients seeking our help in objecting to the proposed class action settlement; however, please check back soon as we will be accepting new clients who wish to assert claims in the near future. Thank you.

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YOU MAY BE ENTITLED TO CASH COMPENSATION.

DON'T GIVE UP YOUR PRIVACY CLAIMS AGAINST LEXISNEXIS.

Learn more about how we can help you.

LEARN MORE ►



You may be entitled to cash compensation for misuse of your consumer report.

Click Here For Help With Your Claim

You may be entitled to cash compensation for violation of your privacy rights. Like Trans Union, LexisNexis may be selling consumer reports about you that violate your privacy rights. And, as a result, you may be entitled to cash compensation in connection with those violations.

We were happy to represent you against Trans Union, and we'd be happy to represent you against LexisNexis; on the same basis; that is, on a pure contingent-fee basis (we don't get paid, unless and until you get paid).

To get started, we need you to answer a few questions unique to the LexisNexis Litigation, as we call it. Click [here](#) to get started.

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Watts Guerra LLP is a true nationwide litigation practice. Our trial lawyers handle some of the largest cases nationally for catastrophic injury and death, product liability, commercial litigation, and mass torts.

If you'd like the Firm to help you preserve your privacy claims against LexisNexis, and, if successful, bring your claims for cash compensation against LexisNexis, click [here](#), and let's get started.

Ryan Thompson is a lawyer with Watts Guerra LLP, and his video, shown on the [Home Page of this website](#), explains how the Firm can help you. This video is short, and we hope it will be helpful to you.

This website is rich with data about the [Berry Class Action](#), the [Fair Credit Reporting Act](#), and issues relevant to your potential claims, and we encourage you to read all of this information and explore the related links at your convenience. Learn as much as you can before you make any decisions regarding this matter.

What Makes Watts Guerra Different

Larger- Our firm employs over 150 people in cities across Texas. We boast one of the largest plaintiff-side lawyer rosters in the country, with approximately 25 of the best trial lawyers in their respective areas of practice. We have strength in numbers.

Better- Our results speak for themselves. Our resources are larger than most firms, enabling us to invest tens of millions of dollars at once to battle the largest corporations in the world. We will go to work for you, employing the best experts, and using the most up-to-date technology available.

Faster- Three full-time staff pilots fly our firm planes on a moment's notice, enabling our lawyers to quickly sign up cases, meet with clients, and travel easily to depositions and mediations across the country. We will aggressively seek a fast trial setting for your case, never wasting time to bring justice to our deserving clients.

Contingency Fees

The lawyers of Watts Guerra have proven track record of serious, high-value results. We believe in our ability to win your case; therefore we accept all of our cases on a contingency fee basis. You will not owe us anything unless we recover on your behalf.

Exceptional Results

We've won groundbreaking trials for individuals catastrophically injured by defective products and drugs.

AUTOMOTIVE PRODUCT LIABILITY: Our trial lawyers led the nation in representing people who were maimed or killed by defective Firestone tires and unstable Ford Explorers. Our firm's work helped lead to Congressional hearings in 2001, and the recall of millions of Firestone ATX and Wilderness tires.

PHARMACEUTICAL MASS TORTS: We were proud to represent pharmaceutical victim Margie Sanchez, whose liver was destroyed by the diabetes drug Rezulin helping her to receive a significant jury award in the first Rezulin trial in the nation.

DANGEROUS MEDICAL DEVICES: Likewise, our lawyers represented Naomi Bonorden, Helen Rupp and Lillian Sallinger, who received an award from Sulzer Medica. The Sulzer hip trial was won when we proved that defective hip implants led to painful extraction and revision surgeries.

COMMERCIAL LITIGATION: We've also won for companies and business owners. People like Russell Grigsby, the CEO of a nationwide securities trading firm forced out by his partners who later sold their company for \$150 million. Called in shortly before the trial, we dedicated weeks to help present Grigsby's case to a panel of arbitrators who then awarded him \$43 million* for his partners' securities fraud and minority shareholder oppression. Attorney Fees: \$12,274,249.79.

Expenses: \$977,466.04.

The Firm's Partners present a long and distinguished track record of helping victims. We've beaten the largest and most powerful corporations in America, yielding substantial verdicts and settlements and, more importantly, greater consumer safety for everyone; however, prior results do not guarantee a similar outcome and depend on the facts of each matter.

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The Fair Credit Reporting Act

What is the Fair Credit Reporting Act?

Generally, the Fair Credit Reporting Act (FCRA), Public Law No. 91-508 (codified at 15 U.S.C. § 1681), and originally enacted in 1970, was created, in part, to promote accuracy, fairness, and the privacy of personal information assembled by Credit Reporting Agencies (CRAs). The FCRA regulates how CRAs use your information, and among other things, restricts who has access to your private credit information and dictates how that private information can be used.

What are some of my rights under the FCRA?

Generally, you have a right to privacy, and access to your credit file should be limited. As the Federal Trade Commission has stated, "A consumer reporting agency may provide information about you only to people with a valid need -- usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access."

What happens if a company like LexisNexis is found civilly liable for willful noncompliance with provisions of the FCRA?

The statute is explicit on this point, and states that for each violation of the FCRA, a consumer is entitled to statutory damages, and reads in part, "Any person who willfully fails to comply with any requirement imposed under this title with respect to any consumer is liable to that consumer in an amount equal to the sum of... any actual damages sustained by the consumer as a result of the failure or damages of not less than \$100 and not more than \$1,000..." That is, the FCRA provides that a consumer who proves willful noncompliance with the FCRA is entitled to the above statutory damages for each and every instance a person violated the FCRA.

Further, the FCRA provides for "punitive damages as the court may allow" and "in the case of any successful action to enforce any liability under this section, the costs of the action together with reasonable attorney's fees as determined by the court."

Where can I read a summary of my rights under the FCRA?

The Federal Trade commission provides a free summary of your rights under the FCRA at their website, and you can access it by clicking [here](#).

Where can I read the entire text of the FCRA?

The Federal Trade commission provides a free copy of the FCRA at their website, and you can access it by clicking [here](#).

Where else can I find fairly comprehensive information about the FCRA and learn more about my rights?

The Federal Trade commission provides a wealth of information about the FCRA at their website, and you can access that section of their website by clicking [here](#) and [here](#).

What should I do if I am unhappy with the proposed settlement of the LexisNexis Collection Report Class and want to object to the settlement in an effort to preserve my rights to cash compensation for willful violations of the FCRA?

Hire Watts Guerra LLP to file an objection on your behalf. We will go to work quickly on your behalf. To hire us, simply click [here](#) to get started.

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